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November 17, 2005

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS
ON THE
NOTICE OF PROJECT CHANGE
MODIFYING
A SPECIAL REVIEW PROCEDURE

PROJECT NAME : Circumferential Transportation
Improvements in the Urban Ring
Corridor - Phase 2
PROJECT MUNICIPALITIES : Boston, Brookline, Cambridge,
Chelsea, Everett, Medford and
Somerville
PROJECT WATERSHEDS : Charles, Boston Harbor (Mystic), and
North Coastal
EOEA NUMBER : 12565
PROJECT PROPONENT : Executive Office of Transportation
DATE NOTICED IN MONITOR : September 7, 2005

Pursuant to Section 11.09 of the MEPA regulations, I hereby modify an existing Special Review Procedure (SRP), which was the subject of a Certificate Establishing a SRP dated November 9, 2001, to guide the continuing MEPA review of this project.

In a Certificate on the Draft Environmental Impact Report (DEIR) for this project, dated May 20, 2005, I required that the Massachusetts Bay Transportation Authority (MBTA) submit a Notice of Project Change (NPC) by September 1, 2005, describing proposed changes to the existing SRP, with the intent of reestablishing coordinated review of the Urban Ring project under both MEPA and the National Environmental Policy Act (NEPA).

Proposed Modifications to the Special Review Procedure

As agreed, the NPC seeks the following modifications to the Special Review Procedure. First, it describes how coordinated review of the project under MEPA and NEPA would be re-established. Second, the NPC propose new filing dates for the Revised DEIR/DEIS and the Final EIR/Final EIS for Phase 2, as well as the DEIR/DEIS for Phase 3. Finally, the NPC describe proposed changes to the membership of the Citizens Advisory Committee (CAC) in order to open up the public process to neighborhood organizations, institutions and advocacy groups that have expressed interest in participating.

Re-Establishment of Coordinated Review under MEPA and NEPA

The Urban Ring project was the subject of an Environmental Notification Form (ENF) in September, 2001. On November 9, 2001, a Certificate on the ENF was issued, that required the preparation of an Environmental Impact Report. In addition, a Certificate Establishing a Special Review Procedure (SRP) was also issued on that date. The SRP was deemed necessary due to the complexity and phased implementation of this long-term project.

The first deadline established in the SRP was for a combined DEIR/Draft Environmental Impact Statement (DEIS) to be filed on or before August 31, 2003. This date was established to coincide with deadlines established in an Administrative Consent Order (ACO) between the Department of Environmental Protection (ACO) and the Executive Office of Transportation (EOT) that required that a DEIR be submitted to the Executive Office of Environmental Affairs (EOEA) by this date. On two separate occasions, the Massachusetts Bay Transportation Authority (MBTA), on behalf of EOT, requested and received extensions of this deadline until November 30, 2004. These delays were the result of certain requirements unique to the NEPA review process, which were not resolved by this deadline, and, as a result, EOT and the MBTA submitted a separate DEIR (without a DEIS component) to EOEA on November 30, 2004.

In a letter dated May, 18, 2005 the MBTA informed EOEA of its intent to re-link the MEPA and NEPA review processes and that it was seeking the guidance of the Federal Transit

Administration (FTA) in developing the DEIS for Phase 2 of the project. In addition, the MBTA committed to a joint filing of the Draft Environmental Impact Statement (EIS) with a Revised Draft Environmental Impact Report (Revised DEIR), which would respond to the comments submitted in response to the DEIR.

In a letter dated September 8, 2005, EOT Secretary Cogliano indicated that the preparation of the Revised DEIR/DEIS will be directed by EOT's Office of Transportation Planning. In a follow-up letter dated September 30, 2005, EOT identified potential funding sources for the preparation of the Revised DEIR/DEIS.

Schedule of Filing Dates for Environmental Review Documents

In the NPC, the MBTA proposed the following schedule of filing dates for each of the environmental review documents to be submitted under MEPA and NEPA. The NPC indicates that the ability to meet the proposed deadlines is contingent upon several factors, most notably the satisfactory completion of components of the federal review process, which may necessitate changes to the proposed schedule. Furthermore, the NPC requests that the modified SRP establish a mechanism by which the proponent may request and obtain extensions to these deadlines.

Several commenters expressed concerns regarding the proposed schedule, in particular, the fact that the first submission date, that for the Revised DEIR/DEIS, would be submitted two years from now, and that the overall schedule has been pushed out several years from the schedule indicated in the original Certificate Establishing a SRP. I share these concerns, but realize that the preparation of each environmental review document will be a complex process. Therefore, I hereby establish the following schedule for the submission of environmental review documents, as proposed in the NPC:

- Revised DEIR/DEIS for Phase 2 to be submitted no later than November 30, 2007;
- Final EIR (FEIR)/Final EIS (FEIS) for Phase 2 to be submitted no later than December 31, 2008;
- DEIR/DEIS for Phase 3 to be submitted no later than December 31, 2010; and

- FEIR/FEIS for Phase 3 to be submitted by a deadline to be determined jointly by EOEa and the FTA.

However, I wish to stress the importance that the environmental review process remain on track in accordance with the schedule indicated above. I consider these deadlines to be firm and direct EOT to expedite the environmental review process in order to ensure that the established deadlines are met. Therefore, I decline to establish a formal mechanism by which the proponent may request and obtain extensions to the established deadlines and will require that each and any proposed change to the established schedule be the subject of a separate Notice of Project Change (NPC).

Moreover, I am directing the CAC to focus on issues of timeliness, and will require the submission of bi-annual (twice yearly) progress reports. The purpose of these progress reports will be for EOEa and the general public to gain an understanding of any issues related to the timely submission of the environmental review documents. The progress reports should describe progress to date on the preparation of each document, indicate milestones achieved, and note any issues that would pose an obstacle to timely submission so that action can be taken towards their resolution. The progress reports should be submitted according to the following schedule and posted on both the EOT and MBTA websites:

- September 30, 2006
- March 31, 2007
- September 30, 2007
- March 31, 2008
- September 30, 2009
- March 31, 2009
- September 30, 2009
- March 31, 2010
- September 30, 2010

Beyond 2010, deadlines for progress reports related to the preparation of the FEIR/FEIS for Phase 3 of the project will be determined in the Certificate on the DEIR/DEIS for Phase 2.

Changes to the Membership of the Citizens Advisory Committee

The original SRP included the establishment of a Citizens Advisory Committee (CAC) representing the Urban Ring Compact Communities, institutions, and other key stakeholders in the Urban Ring corridor.

The NPC proposed several changes to the membership of the CAC, specifically the addition of:

- a representative from the City of Medford;
- representatives from neighborhood organizations and other groups representing residents of the Urban Ring corridor;
- representatives from major educational, medical and cultural institutions along the corridor not currently represented on the CAC;
- representative(s) from transit rider advocacy groups; and
- representatives from state agencies and authorities that will be critically involved in any capital investments and/or the development of service and operations plans, namely the MBTA, Massachusetts Port Authority (MassPort), Massachusetts Turnpike Authority (MassPike), and the Department of Conservation and Recreation (DCR).

In addition, the NPC indicated a desire to limit CAC membership to no more than 25 members. The current CAC has 20 members.

In response to the changes proposed in the NPC, I hereby reconstitute the CAC to include:

- one or more representatives from each of the Urban Ring Compact Communities (Boston, Brookline, Cambridge, Chelsea, Everett, Medford, and Somerville);
- representatives from a variety of neighborhood and other organizations that submitted letters nominating individuals with a demonstrated willingness and commitment to serve on the CAC; and
- representatives from major educational, medical and cultural institutions along the corridor.

Individual CAC members are named in the attached Appendix to this Certificate and will be notified under separate cover of their appointments.

While I share the concern that the CAC could become unwieldy and difficult to manage if allowed to grow too large, I

recognize that appointing representatives from state agencies and authorities would take representation away from other stakeholders with a legitimate interest in the project. However, it is critical that the state agencies and authorities named above play a role in the development of the project. Therefore, I am naming representatives from each of these four agencies and authorities to serve as ex-officio members, in addition to the expanded membership of the CAC. I recognize that the CAC is rather large, but because it will include many individuals with diverse skills and interests, this should be viewed as an asset in developing and appointing CAC members to work together in various sub-committees.

I therefore direct EOT to give the CAC a meaningful role in the development of the environmental documents for each phase of the Urban Ring project, which EOT can then evaluate and incorporate into the documents, if appropriate. I strongly recommend that CAC meetings be conducted on a regular and relatively frequent basis, perhaps quarterly, or on a schedule agreeable to the CAC membership. In addition, given the long-term nature of this project, and in order to adequately inform and engage the greater public in the planning process, I will require EOT to publicize and conduct annual public outreach and informational meetings on the phasing, scheduling and design of the Urban Ring project.

The proponent's signature below indicates consent to the modification of this Special Review Procedure and the specific provisions outlined in this Certificate.

11/17/05

Date

Stephen R. Pritchard

Stephen R. Pritchard
EOEA Secretary

November 17, 2005

Date

John Coglian

John Coglian
EOT Secretary

Comments Received:

08/12/2005	Conservation Law Foundation
08/19/2005	Boston University
08/22/2005	Urban Ring Citizens Advisory Committee
08/22/2005	Massachusetts Institute of Technology
08/22/2005	Medical Academic and Scientific Community Organization, Inc. (MASCO)
08/24/2005	Artery Business Committee
08/26/2005	City of Cambridge Community Development Department
08/29/2005	Boston Transportation Department
08/29/2005	University of Massachusetts Boston
08/31/2005	City of Cambridge Executive Department
09/16/2005	Executive Office of Transportation
09/19/2005	Arshag Mazmanian
09/23/2005	Thomas Glynn, on behalf of Partners Healthcare
09/26/2005	Alternatives for Community and Environment
09/27/2005	Dana Farber Cancer Institute
09/27/2005	Dana Park Neighborhood Association
09/27/2005	Emmanuel College
09/27/2005	Conservation Law Foundation
09/27/2005	Greater Boston Chamber of Commerce
09/27/2005	Paul Levy, on behalf of Beth Israel Deaconess Medical Center
09/27/2005	James Rooney, on behalf of Massachusetts Convention Center Authority
09/27/2005	Marilyn Wellons
09/27/2005	Karen Wepsic
09/28/2005	Rider Oversight Committee
09/30/2005	Artery Business Committee
09/30/2005	Boston Environment Department
09/30/2005	City of Chelsea Department of Planning & Development
09/30/2005	Harvard University
09/30/2005	Massachusetts Turnpike Authority
10/03/2005	Brigham and Women's Hospital
10/04/2005	Executive Office of Transportation
10/04/2005	Boston Redevelopment Authority
10/07/2005	Fenway Community Development Corporation
10/13/2005	The Fenway Alliance
10/18/2005	Charlotte Nelson

EOEA #12565

NPC Certificate

11/17/05

10/19/2005	William Richardson
10/21/2005	Marilyn Wellons
10/26/2005	Dana Park Neighborhood Association
10/28/2005	University of Massachusetts Boston
11/03/2005	Eugene Benson
11/04/2005	Maureen Lacey
11/07/2005	Ellin Reisner (2)
11/08/2005	Jeffrey Rosenblum
11/10/2005	City of Everett
11/14/2005	Larry Brophy, on behalf of Northeastern University
11/14/2005	Joseph Beckmann
11/15/2005	Town of Brookline
11/16/2005	Move Massachusetts

SRP/RAB/rab

APPENDIX: URBAN RING CAC REPRESENTATIVES

Mr. Richard Garver
Boston Redevelopment Authority

Mr. Ralph Denisco, Senior Transportation Planner
Mr. Vineet Gupta, Director of Policy and Planning (alternate)
Boston Transportation Department

Ms. Suzanne Rasmussen
Ms. Cara Seiderman (alternate)
City of Cambridge

Mr. John DePriest, Director of Planning
City of Chelsea

Ms. Marzie Galazka, Assistant Director of Community and Economic
Development
City of Everett

Mr. Jeff Levine
Town of Brookline

Ms. Lisa Lapore, Director of Infrastructure
City of Somerville

Representative to be determined (TBD)
City of Medford

Ms. Aditi Pain, Sustainability Manager
University of Massachusetts - Boston

Mr. Thomas Fawcett, Director of Operations
Mr. James Shaer, Director of State Relations (alternate)
Boston University

Ms. Deborah Poodry, Director of Campus Planning and Design
Massachusetts Institute of Technology

Ms. Deborah Kuhn, Vice President for Administration
Mr. Harris Band (alternate)
Harvard University

URBAN RING CAC REPRESENTATIVES (cont.)

Mr. Larry Brophy, Associate Director
Government Relations and Community Affairs
Northeastern University

Ms. Sarah Hamilton, Vice President
Ms. Christine Apicella, Senior Planner
Medical Academic and Scientific Community Organization, Inc.

Ms. Maureen Lacey, Director of TransComm
Boston University Medical Center

Mr. Arthur Mombourquette, Vice President
Brigham and Women's Hospital

Ms. Elizabeth Gerlach
Beth Israel Deaconess Medical Center

Mr. Thomas Nally, Planning Director
Artery Business Committee

Ms. Carrie Schneider, Staff Attorney
Conservation Law Foundation

Mr. Daniel Wilson
Move Massachusetts

Mr. Jeffrey L. Rosenblum, Executive Director
Livable Streets Alliance

Mr. Joseph Beckmann
Somerville Transportation Equity Partnership

Mr. Aaron Henry
Fenway Community Development Corporation

Mr. William Richardson, President
Fenway Civic Association

Ms. Kelly Brilliant, Executive Director
Fenway Alliance

URBAN RING CAC REPRESENTATIVES (cont.)

Ms. Charlotte Nelson
Roxbury Strategic Master Plan Oversight Committee

Ms. Karen Wepsic
On the Move Steering Committee
MBTA Rider Oversight Committee

EX-OFFICIO MEMBERS

Mr. Scott Darling, Environmental Counsel
Mr. Peter Calcaterra , Project Manager (alternate)
Massachusetts Bay Transportation Authority

Mr. Rick McCullough, Director of Environmental Engineering
Massachusetts Turnpike Authority

Mr. Bob Reyes, Assistant Director, Transportation and Land Use
Planning. Representative TBD
Massachusetts Port Authority

Representative TBD
Department of Conservation and Recreation